THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION No.26767 of 2007

DATED: 14.12.2007

Between:

S.A. Khayum and others

.. Petitioners

And

Jawaharlal Nehru Technological University rep. by its Registrar, Kukatpally, Hyderabad and others.

.. Respondents

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ORDER:

This writ petition is filed seeking a Mandamus declaring the action of the respondents in not extending the benefit of revised pay scales as contained in G.O.Ms.No.288 dated 27.11.1986 and G.O.Ms.No.287 dated 03.12.1991 to the petitioners, who are non-teaching technical staff, with effect from 01.07.1986, as arbitrary and illegal.

It appears, the Government has issued orders extending the revised pay scales of 1986, with effect from 01.07.1986, assigning Schedule I & II scales to the non-teaching staff including technical staff of the Universities. However, while extending Schedule-I scales to the non-teaching staff (Technical), the Government constituted a Committee with Professor T.Navaneetha Rao, the then Vice Chancellor of the University to examine the anomalies in pay scales and suggest suitable Schedule-II pay scales, vide G.O.Ms.No.79, Finance & Planning (FW:PRC-I) Department, dated 30.03.1988. The Committee has submitted its report and recommended Schedule-II scales to certain categories of technical posts. The Government has accepted the recommendations of Professor T.Navaneetha Rao Committee and issued orders implementing the Schedule-II scales to

the technical staff with effect from 01.04.1990 instead of 01.07.1986, vide G.O.Ms.No.287 Finance & Planning (FW:PRC-I) Department, dated 03.12.1991. Aggrieved by the same, technical staff of Sri Krishnadevaraya University, Anantapur, filed a writ petition, being W.P.No.2116 of 1996, before this Court seeking implementation of revised pay scales of 1986 with effect from 01.07.1986 instead of 01.04.1990. Though the said writ petition was dismissed on 21.09.1999, the writ appeal, being W.A.No.21 of 2000, preferred by the petitioners therein was allowed by a Division Bench of this Court on 24.09.2002, and the same attained finality before the Supreme Court. Consequently, Government has issued revised orders implementing Schedule-II scales to the technical staff working in Sri Krishnadevaraya University with effect from 01.07.1986 instead of 01.04.1990. While that being so, petitioners, technical staff of the respondent University, submitted a representation to the Registrar of the University requesting to extend them Schedule-II scales issued in G.O.Ms.No.78, with effect from 01.07.1986 instead of 01.04.1990, on par with the technical staff of Sri Krishnadevaraya University, Anantapur, and the University, by a letter dated 23.02.2007, has recommended the case of the petitioners to the 3rd respondent. Now, the grievance of the petitioners is that in spite of the recommendations made by the University, revised pay scales were not extended to them with effect from 01.07.1986, on par with the technical staff of Sri Krishnadevaraya University, Anantapur.

In the facts and circumstances of the case, without expressing any opinion on merits, the 3rd respondent is directed to consider the recommendations made by the respondent University, vide its letter No.C1/3675/2007, dated 23.02.2007, regarding extension of revised

pay scales of 1986 to the petitioners with effect from 01.07.1986, and pass appropriate orders as per law, within a period of six weeks from the date of receipt of a copy of this order and communicate the same to the petitioners.

With the above direction, the writ petition is disposed of. No order as to costs.

JUSTICE C.V. RAMULU

14th December, 2007.
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